

REMARKS

This amendment responds to the Office Action dated October 29, 2008, in which the Examiner objected to the Specification and claims 1-8 and rejected claims 1-8 under 35 U.S.C. § 112, second paragraph.

Applicants respectfully thank the Examiner for acknowledgment of Applicants claim of Foreign Priority. Applicants note that the current application is a National Phase Application of International Application number PCT/JP04/005028. A copy of the International Application as filed has been communicated by the International Bureau. Therefore, Applicants respectfully request the Examiner indicated box 12(a)(3) on PTO-326 rather than box 12(c).

Applicants thank the Examiner for acknowledgment of the Information Disclosure Statement filed January 10, 2005, and October 26, 2005. However, Applicants respectfully request the Examiner consider JP63-156486 which the Examiner crossed out. Applicants respectfully point out that MPEP 609.04(b) states on page 600-153, second column – 600-154, “Where the information list is not in the English language, but was cited in the search report or other action in a foreign patent office in a counterpart for an application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office”. Applicants respectfully submit that the English language translation of the foreign search report along with the relevance was provided to the Examiner. Applicants note that the relevance is stated as A, related to the technological background. Therefore, Applicants respectfully request the Examiner considers JP63-156486.

As indicated above, the Specification has been amended. Therefore, Applicants respectfully request the Examiner withdraws the objection to the disclosure.

As indicated above, claims 1, 4, and 7 have been amended in order to correct minor informalities. Therefore, Applicants respectfully request the Examiner withdraws the objection to claims 1-8.

As indicated above, claims 1, 4, and 7 have been amended in order to more particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1-8 under 35 U.S.C. § 112, second paragraph.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge to our Deposit Account No. 50-0320.

Respectfully submitted,

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